

**Town of Kinderhook
Planning Board Workshop
September 12, 2013**

Approved

Minutes

The workshop meeting of the Town of Kinderhook Planning Board was held on Thursday, September 12, 2013 beginning at 7:00pm at the Kinderhook Town Hall, 4 Church Street, Niverville, NY. The Meeting was called to order by the Chairwoman, Mary Keegan-Cavagnaro. The Roll was taken by the Secretary.

A. Roll Call

Present:

Mary Keegan-Cavagnaro, Chairwoman
Andrew Howard, Town Attorney
Patrick Prendergast, Engineer
Chris Simonsen
William Butcher
Guy Rivenburgh
Daniel Weiller
Cheryl Gilbert
Dale Berlin
Nataly Dee, Secretary

Excused:

Jake Samascott
Peter Haemmerlein

Absent:

None

B. Correspondence

1. Review of Minutes:

August 8, 2013: Workshop
August 15, 2013: Meeting

Minutes are pending approval at the next regular meeting following further review.

C. Public Hearing(s)

None

D. Old Business

1. Gary Laguesse: Site Plan Review – 3340 US Route 9

Mr. LaGuesse addressed the Board. The application for change of use has been retracted as Mr. La Guesse's original plans are now on hold. He would like to rent the facility to Expert Interiors and Exteriors, Inc. They will need to file an application with the Board for change of use. Mr. Herman, representative from Expert Interiors and Exteriors, Inc, addressed the Board. He stated that they intend to use the building as storage for materials and tools and also intend to have some office space within. They have communicated with the Building Department. There is no intention of having a retail establishment or store front, nor is their intent to have customers on site. They currently have a 6 month lease, but would like to continue for up to two years or more. They are considering establishing a long term business in the area. They have locations in New Jersey, Pennsylvania, Connecticut and New York. Mr. Herman made a brief presentation regarding the nature and history of the business and their intentions for doing business locally.

A Site Plan Review is still required for the change of use. Mr. Howard reviewed the process for the potential applicant. Updated plans were requested. The Board noted that signage needs to be addressed and parking needs to be shown. It was determined that the area is Zoned B1. The category in the code under which the business would fall has not yet been established. Mr. Herman stated that there would be some vehicles located at the property, pick-up trucks, vans, trailers, but no heavy equipment would be present.

The Board recommended that they file an application for a Site Plan Review. It was recommended that they review the Site Plan Checklist. The application will be evaluated using the regulations provided by the Code.

2. Henry Kazer: Major Subdivision - County Route 28

No one was in attendance to represent the project.

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3. Former Kinderhook Bank (Owner David Raihofer): Site Plan Review for addition to building

No one was in attendance to represent the project.

4. Dollar General: Site Plan Review – US Route 9

Tim O'Brien of Bohler Engineering addressed the Board. He provided updated plans and materials regarding the proposal. They are working for Primex Properties which develops properties and works with Dollar General to develop sites across New York State.

Mr. O'Brien stated that the current plans indicate that they rotated the building on the site while maintaining the current lot width. The subdivision/lot line adjustment previously considered would not be pursued. He referenced the zoning table noting that they meet the zoning requirements, except for parking, noting that the Code requires a lot of parking in such circumstances. Further, he noted that a Dollar General Site Plan typically has only 30 parking spaces. 36 spaces have been allocated for this site. Mr. O'Brien indicated that the plans show the truck movements for pulling into and out of the site. The entrance to the location would not be a shared drive. He indicated the area reserved for storm water and the septic system. Mr. O'Brien sought the input of the Board on the submitted Site Plan.

The Board inquired about the lot coverage. It was noted that by code in B1a the maximum lot coverage is 75%, and this project is at 51% of lot coverage. They are trying to make the best of the existing curb cut and the layout. The question of berms was addressed. There is plenty of area to put landscaped berms at the front of the property. Additionally, the site is able to handle the large trucks as shown on the plans. Previously proposed lot line adjustment is not being pursued. There is an existing easement addressing the ingress and egress with the self-storage facility to the rear of the property. Lot frontage width was reviewed. A parking variance will be needed. The elevation was not shown on the plans; Mr. O'Brien stated that they designs are still being worked on. Note was made of the design standards as detailed in the Code. The proposed building is roughly 9,100 sq feet with approximately 7,200 sq ft of sales floor area. The width of the driveway was examined. Truck delivery times were questioned. Mr. O'Brien stated that deliveries are established by store, and that deliveries do not take a long time. Ms. Keegan-Cavagnaro expressed concern about the traffic pattern of patrons crossing the parking lot during delivery times. It was determined that the site is zoned B1, which allows for lot coverage of 50%. Proposed Storm Water Management proposal with details will be submitted if the Board feels it is possible to move forward. HVAC system is included and will be located on a pad in the rear. It cannot be placed on the roof. Aisle width in the parking lot was discussed. Short Form Environmental Assessment will be required. Referral to Department of Transportation may also be required. The project will have to be sent to the Zoning Board of Appeals for parking variance. A formal application will be submitted.

E. New Business

None

F. ZBA Opinions

None

G. Liaisons

1. Village Planning Boards: Kinderhook Village meeting was canceled.

2. Town Board: Liaison was excused.

3. Comprehensive Plan Review Committee: Public Hearing was held. The Town Board will review the proposed plan and have the opportunity to make formal written comments.

4. NYSEG Project: Mr. Simonsen reported that the judge overseeing the process requested a list of properties that will be affected. Site visits to a number of these properties are being conducted.

H. Other

1. Public Comment

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Mr. and Mrs. John and Jane Zukowski, residing on Apple Tree Court, appeared to comment about the Kazer Subdivision. They also commented about the trailer at O’Kenny’s and the proposed Dollar General. They were seeking information regarding the Kazer project. Their concerns were heard and they were provided with details regarding the proposal, however, the Board had limited information to provide as the project is still in the preliminary planning stage. As neighbors they will be alerted of a Public Hearing when one is scheduled.

A motion to adjourn was made by Mr. Weiller. Motion seconded by Mr. Berlin. All in favor. Motion carried; meeting adjourned at 8:05pm.

Respectfully Submitted,

Nataly Dee, Secretary